

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE: COLLEGE ATHLETE NIL
LITIGATION

Case No. 20-cv-03919 CW

**ORDER GRANTING MOTION FOR
ADDITIONAL DEPOSITION OF
DR. RASCHER**


(Re: Dkt. No. 303)

Now before the Court is Defendants' administrative motion to conduct a three-hour supplemental deposition of Plaintiffs' economics expert, Dr. Daniel A. Rascher. Docket No. 303. Defendants contend that the deposition is necessary because Dr. Rascher's reply report includes new opinions and data analyses that exceed the permissible bounds of a rebuttal report. Plaintiffs oppose the motion. Docket No. 307.

The Court finds that the reply opinions to which Defendants object respond to the criticisms of Defendants' own expert, Dr. Tucker. However, the opinions at issue address new economic principles and employ new analyses and data. Accordingly, the Court concludes that allowing a supplemental deposition of Dr. Rascher would be appropriate. The deposition shall take place no later than September 1, 2023, and it shall be limited to three hours and to the topics addressed in Defendants' motion, Docket No. 303. If, after taking the deposition, Defendants request permission to submit supplemental briefing, it will be allowed, if at all, on a limited basis and on a limited schedule.

IT IS SO ORDERED.

Dated: August 15, 2023


CLAUDIA WILKEN
United States District Judge